

IN THE DISTRICT COURT OF WASHINGTON COUNTY
STATE OF OKLAHOMA

DISTRICT COURT WASHINGTON CO. OK
JILL L. SPITZER, COURT CLERK

STATE OF OKLAHOMA,)

Plaintiff,)

v.)

LONNIE COLE FEENSTRA,)

Defendant.)

Case No. CM-2014-520

MAR 3 2020
Shelly Bates
DEPUTY

TRANSCRIPT OF PROCEEDING
RULE 8 HEARING

HAD FEBRUARY 25, 2020
BEFORE THE HONORABLE CARL G. GIBSON
ASSOCIATE DISTRICT JUDGE

I, Jill L. Spitzer, Court Clerk for Washington County, Oklahoma
hereby certify that the foregoing is a true correct and full copy of
this instrument herewith set out as appears of record in the Court
Clerk's Office in Washington County, Oklahoma this
3 day of March 2020
By: *[Signature]* Jill L. Spitzer
Clerk

MS. LISA V. WARD
OFFICIAL COURT REPORTER
NOWATA COUNTY COURTHOUSE
229 N. MAPLE STREET, STE. 7
NOWATA, OK 74048

DISTRICT COURT OFFICIAL TRANSCRIPT



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1 (The following proceeding was had, to-wit:)

2 THE COURT: Ms. Clerk and Ms. Reporter,
3 this is CM-14-520, State of Oklahoma versus
4 Lonnie Cole Feenstra, spelled F-E-E-N-S-T-R-A.
5 The Court's information is that I was assigned or
6 requested to hear this particular case because
7 Mr. Feenstra is part of a, I believe either a, I
8 believe it's a federal lawsuit, having to do with
9 fines and costs, and all of the judges in
10 Washington County asked to be released of any
11 obligation to hear the case.

12 MR. FEENSTRA: Okay.

13 THE COURT: If I could please ask you,
14 sir, raise your right hand.

15 (The Court administered the oath.)

16 MR. FEENSTRA: I do.

17 THE COURT: Okay. I'm told, Mr.
18 Feenstra, that your balance is \$2,952.80. That
19 is on a driving with your license having been
20 suspended case. I am not sure how that cost gets
21 to be that high as it relates to a misdemeanor
22 and that kind of thing.

23 Ms. Clerk, is there some -- you told me
24 before we came in, Ms. Clerk, that he had another
25 case --

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1 THE CLERK: Yes. And that one was
2 dismissed and the costs were -- it was dismissed
3 without costs. So the costs were waived on that
4 one.

5 THE COURT: On the -- on the previous
6 case that was a, do you know, remember what it
7 was or --

8 THE CLERK: No, sir.

9 THE COURT: Okay.

10 THE CLERK: I was rushing.

11 THE COURT: How do we get from \$1143 to
12 \$2,952.82.

13 MR. FEENSTRA: I also did a year in
14 jail.

15 THE COURT: I see. So it was --

16 (Ms. Feenstra inaudible.)

17 Judges Thomas and Gibson conferred.)

18 THE COURT: Thank you, Judge.

19 So you spent a year in the Nowata -- in
20 the Washington County jail.

21 MR. FEENSTRA: Well, I -- I had a -- a
22 criminal case out of Kansas and I -- I filed 180
23 day writ to come down here, and they took care of
24 everything. Um, and they ran the year county
25 jail time concurrent with my prison time out of

1 Kansas.

2 THE COURT: Okay. So you did the county
3 time in Washington County.

4 MR. FEENSTRA: Um, I was in Washington
5 County for, um, two months I think.

6 MS. FEENSTRA: Sixty-four days.

7 MR. FEENSTRA: Sixty-four days.

8 THE COURT: So that's how the -- the
9 fines jumped up.

10 MR. FEENSTRA: I have no idea.

11 THE COURT: Okay. I --

12 You've got a helper back here.

13 Come down please, Ms. Helper.

14 MR. FEENSTRA: The original paperwork
15 that I -- that I got when I was here, um, said
16 that I a \$300 fine and the year in jail to run
17 concurrent, um, with my prison sentence in
18 Kansas. And then I contacted my mother to have
19 her pay, I wanted to have everything paid before
20 I came home so I didn't have to worry about
21 anything. And when she came down to pay the fine
22 they told her that -- and she had -- had a paper
23 with her saying that it was \$300. But they told
24 her that it was.

25 MRS. FEENSTRA: Three thousand and

1 something.

2 MS. FEENSTRA: It was --

3 MR. FEENSTRA: Yeah, three thousand
4 something.

5 THE COURT: Okay. Let me stop.

6 What is your name?

7 MS. FEENSTRA: Amanda Feenstra.

8 THE COURT: Raise your right hand
9 please.

10 (The Court administered the oath.)

11 MS. FEENSTRA: I do.

12 THE COURT: Okay. How are you related
13 to this man?

14 MS. FEENSTRA: This is my husband.

15 THE COURT: Okay.

16 MS. FEENSTRA: Okay. So the criminal
17 case that he was on, it was a conspiracy and
18 identity theft, um, and I am the one that did
19 that. I wrote a letter to the Court saying that
20 I'm -- I --

21 THE COURT: I'm -- I'm --

22 MS. FEENSTRA: -- did that.

23 THE COURT: I'm only concerned with --

24 MS. FEENSTRA: Right. But that's how
25 the --

1 MR. FEENSTRA: That's how --

2 MS. FEENSTRA: This explains --

3 MR. FEENSTRA: -- what is [inaudible] --

4 THE COURT: One at a time.

5 MR. FEENSTRA: Okay.

6 THE COURT: Go ahead.

7 MS. FEENSTRA: This explains how the --
8 how it got -- okay. So they dismissed that case,
9 the criminal case. The felony case, they
10 dismissed that. And then when we come and paid,
11 tried to pay the suspended license fee, they said
12 that the fees from the criminal felony case was
13 transferred to the misdemeanor case. And that --
14 that's how it went from the 300 and some dollars
15 to the 3,000 some dollars.

16 THE COURT: Okay. You do acknowledge
17 and agree that you spent some time in Washington
18 County jail on -- on this case?

19 MR. FEENSTRA: Um, no, I didn't even get
20 arrested on the driving under suspended. The
21 officer released me at -- right there. He --
22 because I was only a mile from my house and he
23 just, uh, told me take your truck home and, uh,
24 park it.

25 THE COURT: Okay. Well, I had, Judge

1 Thomas, I just visited with her. And she says
2 that, uh, indicated to me that you -- she has
3 information that you're on disability.

4 MR. FEENSTRA: Yes, sir.

5 THE COURT: And have some --

6 MR. FEENSTRA: Fully disabled.

7 THE COURT: And have some, uh,
8 challenges making your payments and that kind of
9 thing.

10 MR. FEENSTRA: Well, I've been current
11 on my payments, um.

12 THE COURT: Okay.

13 MR. FEENSTRA: But I've been, uh,
14 fighting for my disability for a while and just
15 been -- been approved in December.

16 THE COURT: Okay.

17 MRS. FEENSTRA: I've been making his
18 payments and I'm his mother.

19 THE COURT: All right. Well, let's do
20 this.

21 Ms. Clerk, let's go ahead and show that
22 the Court waives the, any fine, cost, and
23 assessments in excess of \$1143. That was the
24 initial amount on CM-14-520, eleven forty-three,
25 \$1143. And then show minus any payments that

1 he's made on his fine, cost, and assessments.
2 And it may take you a few minutes to compute the
3 balance. And that will include a one day -- no,
4 let's -- let me not even do that.

5 You say you weren't even put in jail,
6 they didn't arrest you on your DUS.

7 MR. FEENSTRA: No, they did not.

8 THE COURT: Okay. Just gave you a
9 ticket and a day to appear.

10 MR. FEENSTRA: Correct.

11 THE COURT: Okay. All right.

12 Ms. Clerk, can you do that from your
13 station or do you need to go downstairs.

14 THE CLERK: I will have to actually take
15 it to the fines and costs clerk downstairs in
16 order to do that.

17 THE COURT: Well, go down there, take it
18 and make the computation. You understand what I
19 want them to do.

20 THE CLERK: Yes, sir.

21 THE COURT: Eleven forty-three minus any
22 fines, costs, payments that have been made to
23 district court.

24 THE CLERK: Okay.

25 THE COURT: And I don't know how much

1 that is. And then we'll have a new balance
2 today.

3 MR. FEENSTRA: Okay.

4 THE COURT: Okay.

5 MR. FEENSTRA: All right.

6 THE COURT: If you'll take another five
7 or ten minute break, we'll see you back here in
8 about five or ten minutes.

9 MR. FEENSTRA: All right. Thank you.
10 (Recess was had.)

11 THE COURT: Come forward please, Mr.
12 Feenstra.

13 Ms. Clerk and Ms. Reporter, we're back
14 on the record in CM-14-520. Ms. Clerk has
15 informed me that the balance due, the new balance
16 due after we took the -- I want to get the number
17 right here. After we took the \$1143 which was
18 the original balance that we adjusted, the
19 adjusted original balance is \$1143. The payments
20 that you've made bring the balance now down to --

21 Ms. Clerk, \$393.00.

22 THE CLERK: Yes, sir.

23 THE COURT: Even.

24 MR. FEENSTRA: Okay.

25 THE COURT: Okay. You have any

1 questions about that, Mr. Feenstra?

2 MR. FEENSTRA: No, sir.

3 THE COURT: You're satisfied with that
4 number.

5 MR. FEENSTRA: Yes, sir.

6 THE COURT: All right. Well, we'll --
7 uh, I need to know now what amount are you
8 paying. Are you --

9 MR. FEENSTRA: Um, I've been, we've been
10 doing \$50 a month payments. Uh, and I kept it to
11 where I've been a month ahead.

12 THE COURT: Okay. So you're okay
13 continuing to make those payments.

14 MR. FEENSTRA: Yes, sir.

15 THE COURT: And -- and so we'll need to
16 give him a new day back about 60 or 90 days out.

17 Ms. Clerk.

18 THE CLERK: Yes, sir.

19 THE COURT: And what you'll do is you'll
20 check in with the clerk on that. They will call
21 me, if there's an issue, I'll come over and we'll
22 deal with it.

23 MR. FEENSTRA: Okay.

24 THE COURT: Any questions?

25 MR. FEENSTRA: No, sir.

1 THE COURT: So you may or may not see me
2 on that date. It's going to kind of depend on
3 how things are going and that kind of thing.

4 THE CLERK: So do you want him in front
5 of Judge Sigler for his fines and costs docket
6 or -- because I have a May 8th --

7 THE COURT: Let's -- let's do that.
8 Let's do that. May --

9 Are you okay with Judge Sigler or are
10 you suing him?

11 MR. FEENSTRA: I believe he --

12 MS. FEENSTRA: He is.

13 THE COURT: If you're suing him, you're
14 probably not okay with it.

15 MR. FEENSTRA: Yeah, I believe he is on
16 that.

17 THE COURT: Okay. Well, let's do that.
18 Keep it in front of me. Understanding that I'll
19 come over if necessary.

20 MR. FEENSTRA: Okay.

21 THE COURT: But you're obligated to
22 reappear in front of -- in front of this lady's
23 office, the court clerk's office.

24 MR. FEENSTRA: Okay.

25 THE COURT: Where you make your

1 payments.

2 MR. FEENSTRA: Okay.

3 THE COURT: They're authorized to give
4 you another new day back on that new day.

5 MR. FEENSTRA: Yes.

6 THE COURT: But we'll make it every 90
7 days or 60 days, uh, and that kind of thing.

8 The new return day is, Ms. Clerk.

9 THE CLERK: May 8th.

10 THE COURT: May 8, 2020, at 9.

11 Yes, ma'am.

12 MS. FEENSTRA: If I pay that off before
13 then would he have to be --

14 THE COURT: You can pay it off right
15 now.

16 MS. FEENSTRA: Well, I don't have it to
17 pay off.

18 THE COURT: Okay.

19 MS. FEENSTRA: If I pay it off before
20 then does he have to appear then or --

21 THE COURT: He is not obligated to
22 reappear if he pays the 393.

23 Is that the number, Ms. Clerk?

24 THE CLERK: Yes, sir.

25 THE COURT: Any questions?

1 MS. FEENSTRA: Nope. That was it.

2 MR. FEENSTRA: Thank you, sir.

3 THE COURT: All right. At this time you
4 folks are excused.

5 (Proceeding concluded.)

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CERTIFICATE

STATE OF OKLAHOMA)
) ss.
COUNTY OF NOWATA)

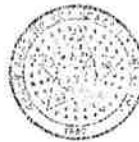
I, Lisa V. Ward, CSR, a Certified Shorthand Reporter in and for the State of Oklahoma, do hereby certify that the foregoing is a full, true, and correct transcript of proceedings transcribed by me.

I further certify that I am not related to nor attorney for either of said parties nor otherwise interested in said action.

Dated this 25th day of February, 2020.



LISA V. WARD, CSR, 1667



Lisa Ward
State of Oklahoma
Certified Shorthand Reporter
CSR # 1667

My Certificate Expires 12-31-2020

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